

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Abraham J. Domb

Serial No: 10/031,728

Art Unit: 1623

Filed: January 22, 2002

Examiner: Ganapathy Krishnan

For: *A Biodegradable Polycation Composition for Delivery  
of an Anionic Macromolecule*Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Sir:

Petitioner, Polygene, Ltd., is the owner of the entire interest in the above-identified application and U.S.S.N. 10/044,538, filed January 10, 2002, as evidenced by the accompanying Statements Under 37 C.F.R. § 3.73(b). Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second U.S. patent application no. 10/044,538, filed on January 10, 2002, or any continuation thereof under 37 C.F.R. § 1.53(b). Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.